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NME Inquiry  
Office of Policy  
Public Document

December 13, 2001

The Honorable Donald L. Evans  
Secretary of Commerce  
Attention: Import Administration  
Central Records Unit, Room 1870  
U.S. Department of Commerce  
14th Street and Constitution Avenue, N.W.  
Washington, D.C. 20230

Re: Comments of Elkem Metals Company and Globe Metallurgical Inc. on the  
Nonmarket-Economy Status of Russia

Dear Mr. Secretary:

On October 26, 2001, the Department of Commerce ("Department") initiated an inquiry into whether to maintain the status of the Russian Federation ("Russia") as a nonmarket economy ("NME") country for purposes of the antidumping and countervailing duty laws.<sup>1</sup> In addition, the Department requested public comment "with respect to Russia on the factors listed in section 771(18)(B) of the Act, which the Department must take into account in making a market/non-market economy determination."<sup>2</sup> On behalf of Elkem Metals Company ("Elkem")<sup>3</sup> and Globe Metallurgical Inc. ("Globe"),<sup>4</sup> we hereby provide such comments and supporting factual information (attached). For the reasons explained in the comments, Elkem and Globe believe the

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<sup>1</sup> *Notice of Initiation of Inquiry Into the Status of the Russian Federation as a Non-Market Economy Country Under the Antidumping and Countervailing Duty Laws*, 66 Fed. Reg. 54,197 (October 26, 2001).

<sup>2</sup> *Id.*

<sup>3</sup> Elkem is a U.S. ferroalloy producer. Its address is: P.O. Box 266, Pittsburgh, PA 15230-0266.

<sup>4</sup> Globe is a U.S. ferroalloy producer. Globe's address is: 6450 Rockside Woods Boulevard South, Suite 390, Cleveland, OH 44131.

law and facts require maintenance of Russia's NME status.<sup>5</sup>

Thank you for your consideration of these comments.

Very truly yours,

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<sup>5</sup> The factors to be considered in determining NME status are: (i) the extent to which the currency of the foreign country is convertible into the currency of other countries; (ii) the extent to which wage rates in the foreign country are determined by free bargaining between labor and management; (iii) the extent to which joint ventures or other investments by firms of other foreign countries are permitted in the foreign country; (iv) the extent of government ownership or control of the means of production; (v) the extent of government control over the allocation of resources and over the price and output decisions of enterprises; and (vi) such other factors as the {Department} considers appropriate. Section 771 (18)(B) of the Tariff Act of 1930, as amended (the "Act"); 19 U.S.C. § 1677(18)(B).